

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| -----X | |
| ADAM POTTER, | : |
| | : |
| Plaintiff, | : |
| | : |
| -against- | : |
| | : |
| BEACON INTERCONTINENTAL GROUP, INC., | : |
| ET AL., | : |
| | : |
| Defendants. | : |
| -----X | |

20-CV-4599 (JGK) (OTW)

ORDER

ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of Plaintiff's letter. (ECF 179).

At the status conference on June 21, 2023, Defense counsel were ordered to gain access to Defendants' production database by July 21, 2023, so that – impliedly or expressly – they could search for and produce the loan documents sought in ECF Nos. 131 and 132. (ECF 175). Unfortunately, the parties reference a transcript of the June 21 conference that does not appear on the docket in any form – sealed, redacted, or fully available.

Accordingly, I clarify my oral rulings from June 21, 2023, as follows: Plaintiff's motion to compel production of the following documents: (1) communications and documents exchanged with Mr. Menzies and applied underwriters concerning Plaintiff Potter, Beacon Insurance Holdings, Inc., and the sale, and (2) documents concerning the \$5 million applied underwriters loan and the loan documents, is **GRANTED**. (See ECF 132). These documents shall be produced **by September 8, 2023**.

Defense counsel is directed to inform the Court **by Monday, July 31, 2023**, whether they have complied with the Court's order regarding production database access, and the date of such compliance. (ECF 175).

Further, Plaintiffs are directed to file the June 21, 2023, transcript on the docket **by Friday, August 4, 2023**, which the Court will review to determine whether fee or cost shifting is necessary under Fed. R. Civ. P. 37(a)(5).

SO ORDERED.

Dated: July 28, 2023
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge